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KAE SAETEURN

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	No. CR. S-05-033 DFL
)	
Plaintiff,)	
)	
v.)	ORDER MEMORIALIZING RULING ON
)	MR. SAETEURN'S OBJECTIONS TO
)	PRESENTENCE REPORT
KAE SAETEURN et alia,)	
)	
Defendants.)	
)	
_____)	

This order memorializes the Court's ruling of June 14, 2006, on objections by defendant Kae Saeteurn to the final presentence report in this case.

Mr. Saeteurn raised two objections to calculation of the base offense level but withdrew one of his objections before sentencing. The Court sustained his remaining objection to the base offense level, finding the total adjusted offense level to be 25 rather than 27. Specifically, the Court found that controlled substances found in Mr. Saeteurn's car at the time of his arrest should not be included in

1 determining the base offense level because, as the parties agreed, the
2 evidence did not show that he possessed those substances with intent to
3 distribute them to another person.

4 Mr. Saeteurn also objected to the description at page 2 of the
5 report of his citizenship status as "Legal permanent resident." To
6 support his objection, Mr. Saeteurn submitted evidence that he derived
7 U.S. citizenship from his mother when she naturalized before he turned
8 18. The Court ordered the report amended to describe Mr. Saeteurn as a
9 "legal permanent resident or citizen."

10 IT IS SO ORDERED.

11 Dated: June 26, 2006

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15 DAVID F. LEVI
United States District Judge